

Christopher M. Goodman (AZ #023231)  
*Admitted Pro Hac Vice*  
LAW OFFICE OF CHRISTOPHER GOODMAN PLC  
45 W. Jefferson Street Suite 512  
Phoenix, Arizona 85003  
(602) 253-1000  
chris@goodmanlegal.com

Eric B. Hull (CA #291167)  
Kercsmar & O'Hara PLLC  
1149 N Gower St, Suite 216  
Los Angeles, CA 90038  
Telephone: (310) 928-7885  
Fax: (480) 421-1002  
ebh@KandOlaw.com

*Attorneys for Plaintiff International Metaphysical Ministry*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

INTERNATIONAL METAPHYSICAL  
MINISTRY, INC., an Arizona  
corporation,

Plaintiff,

vs.

WISDOM OF THE HEART CHURCH,  
a California non-profit company d/b/a  
THE UNIVERSITY OF  
METAPHYSICAL SCIENCES; and  
various unknown and/or fictional  
individuals and entities,

Defendants.

NO. 4:21-cv-08066-KAW

**NOTICE OF DEFENDANT'S PUBLIC  
STATEMENTS REGARDING COURT  
ORDERS AND CASE STATUS**

Plaintiff International Metaphysical Ministry, Inc. ("IMM" or "Plaintiff") submits this Notice to advise the Court and other counsel of multiple public statements made by the Defendant in this action regarding this Court's orders and the status of the litigation. The

1 Court likely has interest in reviewing the parties' public characterizations of the Court's  
2 orders.

3 As the Court is surely well aware at this point, this case involves two competitor  
4 educational institutions, whose online presence and marketing are of paramount  
5 importance, and who allege each other has breached their prior settlement agreement,  
6 engaged in unfair competition by using the others' trademarked names in advertising, and  
7 disparaged the other on the internet. Needless to say, at the heart of this matter is each  
8 institution's online activity with regard to the other institution.

9 On Thursday, July 18, Plaintiff discovered that Defendant posted on at least three of  
10 its websites that this matter has been dismissed, that Plaintiff (referred to by name) could  
11 not prove its claims despite no trial having been held, that Plaintiff's allegations were shown  
12 to be false despite no trial having been held, and that Defendant has prevailed. Attached  
13 hereto as Exhibits 1 to 3 are printed versions of these websites. The relevant passages are  
14 below:

15 **GOOD NEWS!** The opposition's case **HAS BEEN DISMISSED BY FEDERAL**  
16 **COURT!** There is one more hearing with the judge on July 18, 2024 where their  
17 lawyers and ours make arguments about the dismissal. We are expecting that the  
18 case will stay dismissed.

19 International Metaphysical Ministry which also runs two competing schools,  
20 University of Metaphysics and University of Sedona. This is the third lawsuit full of  
21 false allegations they have launched against University of Metaphysical Sciences  
22 from their organization in Sedona, Arizona

23 None of these lawsuits have resulted in any winnings against UMS because the  
24 allegations are false. International Metaphysical Ministry vs Wisdom of the Heart  
25 Church, Case #4:21-cv-08066-KAW has been dismissed.

26 **UPDATE!** The opposition's case has been dismissed! UMS has prevailed!

27 The main allegation was that we ran ads using their trademarked name, but we have  
28 proof that we never did that, and they could not prove in court that we did. We would  
never do any such thing. We practice the utmost of integrity in all business practices.  
It wouldn't make sense to do that, either, as it isn't necessary. We already appear for  
the search terms on Google that we want to appear for and don't need their name to  
do so. Our name is working fine for us.<sup>1</sup>

<sup>1</sup> Defendant's statement to the public here, that it has never used IMM's names and had no  
reason to do so, contradicts the deposition testimony of its CEO. (Exhibit 4.)

(Exhibit 1, <https://metaphysicsuniversity.com/vs-university-of-metaphysical-sciences-lawsuit-ums-defending-innocence/> last visited July 21, 2024.)

We have been attacked with three lawsuits, each leading to nothing, for 8 years. University of Metaphysical Sciences asserts its innocence against these false allegations that another metaphysics university in Sedona Arizona has made against us to cause financial distress defending against these allegations. UMS always finds a way, though, and the case against us has been dismissed!

(Exhibit 2, <https://christinebreese007spirituality.medium.com/of-metaphysics-vs-university-of-metaphysical-sciences-lawsuit-defending-innocence-72304669b265> last visited July 21, 2024.)

**GOOD NEWS!** The opposition's case against University of Metaphysical Sciences **HAS BEEN DISMISSED BY FEDERAL COURT!**

There is one more hearing with the judge on July 18, 2024 where their lawyers and ours make arguments about the dismissal. We are expecting that the case will stay dismissed.

We assure you **University of Metaphysical Sciences** is here to stay, no matter what. We will always be here to serve your educational needs. We always find a way to overcome these challenges. We have been attacked with three lawsuits, each leading to nothing, for 8 years. University of Metaphysical Sciences asserts its innocence against these false allegations that another metaphysics university in Sedona Arizona has made against us to cause financial distress defending against these allegations. UMS always finds a way, though, and the case against us has been dismissed!

(Exhibit 3, <https://universityofmetaphysicalscienceslawsuit.com/> last visited July 21, 2024) (emphasis in original.)

The metadata on these pages suggests they were all posted in late June 2024. In late June, this matter was not “dismissed” with a pending hearing about a dismissal. On May 3, the Court vacated the May 20 trial, and briefly dismissed the complaint with leave to file an amended complaint to cure a technical pleading defect (while calling the other arguments of Defendant “not well taken”). [Dkt. 186] On May 13, Plaintiff filed an Amended Complaint as directed. [Dkt. 187] On May 28, Defendant filed its second subject matter jurisdiction motion, now pending and scheduled for argument on September 5. [Dkt.188] Plaintiff has previously noted that the multiple trial delays here have resulted in needlessly expanded litigation tactics by Defendant. [Dkt. 191 at pp 4-5]

Plaintiff notes that courts may issue sanctions to prevent the disruption of ongoing Plaintiff's Notice to Court of Defendant's Public Statements, No. 4:21-08066-KAW

proceedings; these sanctions can be imposed under the court's inherent authority to manage its own affairs and maintain the integrity of the judicial process *Charbono v. Sumski (In re Charbono)*, 790 F.3d 80 (1<sup>st</sup> Cir. 2015); *United States v. Kouri-Perez*, 187 F.3d 1 (1<sup>st</sup> Cir. 1995). Federal courts possess inherent authority to regulate litigants' behavior and sanction misconduct, including issuing injunctions against litigants who harass their opponents or engage in vexatious litigation. The inherent power of the court is not limited to actions within the courtroom but extends to any conduct that abuses the judicial process. *See e.g. Am. Unites for Kids v. Rousseau*, 985 F.3d 1075 (9<sup>th</sup> Cir. 2021); *Purchasing Power, LLC v. Bluestem Brands, Inc.*, 851 F.3d 1218 (11<sup>th</sup> Cir. 2017); *Chambers v. NASCO, Inc.*, 501 U.S. 32 (1991).

Having just discovered these pages several days ago, Plaintiff felt it necessary to immediately bring them to the Court's and counsel's attention. Plaintiff is currently considering its options with regard to these websites and the statements therein, including a potential claim under the non-disparagement clause of the Settlement Agreement.<sup>2</sup> Plaintiff may further seek this Court's assistance in addressing the statements made by Defendant.

DATED this 22<sup>ND</sup> day of July, 2024

By: /s/ Christopher M. Goodman

Christopher M. Goodman (AZ #023231)

*Admitted Pro Hac Vice*

45 W. Jefferson Street Suite 512

Phoenix, Arizona 85003

*Attorney for International Metaphysical Ministry*

<sup>2</sup> This filing should be considered notice to UMS under Section 9.1 of the Settlement Agreement of a breach of Section 5, the mutual non-disparagement provision, in which the Parties agreed "to not disparage one another and to not make any statement about the other's conduct, reputation, or business dealings that is designed to or has the effect of injuring the other's reputation or business interests..."

**CERTIFICATE OF SERVICE**

The foregoing was filed through the District Court's ECF filing system on July 22, 2024, with service copies delivered by ECF e-mail distribution to Defendant's counsel listed below:

Valerie Horn, Esq.  
VALERIE F. HORN & ASSOCIATES, APLC  
2121 AVENUE OF THE STARS, SUITE 800  
LOS ANGELES, CALIFORNIA 90067  
TELEPHONE: (310) 888-8494  
FACSIMILE: (310) 888-8499  
EMAIL: *thehornbooklaw@gmail.com*

/s/ Christopher M. Goodman

Law Office of Christopher Goodman PLC  
45 W. Jefferson St., Suite 512  
Phoenix, AZ 85003  
(602) 253-1000